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Electric equipment which is located on and advanced with the working section, self-propelled electric equipment, portable pumps and portable rock dusters which are regularly moved from one location in the mine to another, and similar electric equipment. (Emphasis supplied.)

All of the cited pumps meet the Manual definition of a permanent installation. They were not located in working sections and did not advance with working sections. They did not regularly move from one location in the mine to another. When installed they were expected to remain in place for a relatively long or indefinite period.

The citations allege a violation of 30 C.F.R. § 75.1105, which is a verbatim restatement of § 311(c) of the Act:

Underground transformer stations, battery-charging stations, substations, compressor stations, shops and permanent pumps shall be housed in fireproof structures or areas. Air currents used to ventilate structures or areas enclosing electrical installations shall be coursed directly into the return. Other underground structures installed in a coal mine as the Secretary may prescribe shall be of fire-proof construction. (Emphasis supplied.)

The term "permanent pump" is not specifically defined in the Act or Regulation. Section 311(c) of the Act and § 1105 of the Regulations were contained in the earlier Act of 1969. Permanent pumps were not specifically defined there either. Neither legislative history nor case law is helpful on the issue of what constitutes a permanent pump. It is clear, however, that the purpose of § 1105 is to protect miners against fire and smoke inhalation. It is part of a larger section dealing with fire protection in coal mines. This purpose coupled with the broad language of the standard leads to the conclusion that the standard is meant to have a broad reach to effectuate the purposes of the standard and the Act.